

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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RICARDO COPANTITLA, et al.,

Plaintiff,

- against -

09 Civ. 01608 (RJH)

FISKARDO ESTIATORIO, INC. d/b/a  
THALASSA RESTAURANT, et al.

Defendants.

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**Scheduling and Trial Order**

On Friday, October 22, 2010, a conference was held in this matter before the Honorable Richard J. Holwell, United States District Court for the Southern District of New York. Present before the Court were all the parties represented by their attorneys. The Court entered the following Scheduling Order:

1. Defendants shall file any dispositive motions by November 15, 2010.
2. Plaintiff's opposition to any dispositive motions shall be filed by December 17, 2010.
3. Defendants' reply to plaintiff's opposition shall be filed by January 12, 2011.
4. A status and pre-trial conference and oral argument on any dispositive motions shall be held on March 4, 2011 at 10:30 a.m. in the Courtroom of the Hon. Richard J. Holwell, Courtroom 17B, 500 Pearl Street, New York, New York 10007.

This matter is also scheduled for trial for April 25, 2011. You are instructed to take the following steps in connection with the trial:

1. The parties are directed to appear for a final pre-trial conference on April 15, 2011, at 2:00 p.m. in the Courtroom of the Hon. Richard J. Holwell, Courtroom 17B, 500 Pearl Street, New York, New York 10007, in order to resolve evidentiary issues and review trial procedures.
2. A joint pre-trial order shall be submitted to the Court by March 25, 2011.

3. The parties are directed to exchange a complete set of exhibits among themselves and to deliver to chambers two complete sets of documentary exhibits, preferably in binders, with all exhibits numbered in uniformity with the pretrial order on March 25, 2011.

4. The parties are directed to exchange among themselves and to deliver to chambers, by March 25, 2011, designated deposition testimony, if any, that they propose to read at trial. Objections to designations and counter-designations, if any, shall be due on April 1, 2011, and may be delivered to chambers on that date.

5. Motions in limine and objections to exhibits, if any, shall be due on April 1, 2011. Opposition to motions in limine, if any, shall be due on April 8, 2011. The motions, objections, and opposition papers may be delivered to chambers on the days they are due.

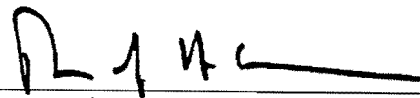
6. The parties are directed to confer and submit to the Court, by April 8, 2011, jointly proposed voir dire questions and jointly proposed jury instructions. If the parties cannot agree on a particular question or a particular jury instruction, the parties may attach their proposed but disputed question or instruction at the end of the questions and instructions to which the parties agree.

7. At the commencement of trial, the parties are directed to supply a final list of all exhibits to the Court Clerk and to the Judge.

8. Counsel are expected to have all necessary witnesses on hand to commence and continue trial. The court cannot commit itself to wait for witnesses. THE FAILURE TO HAVE A WITNESS READY TO PROCEED MAY RESULT IN THE PARTY RESTING ITS CASE.

SO ORDERED.

Dated: New York, New York  
October 22, 2010

A handwritten signature in black ink, appearing to read 'R J Holwell', written over a horizontal line.

Richard J. Holwell  
United States District Judge